

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In Re)	Chapter 11
W.R. Grace & Co., et al.,)	Case No. 01-1139 (JKF)
)	(Jointly Administered)
Debtors)	

**CHRIS PARKS, P.C.'S RESPONSE TO DEBTORS' EMERGENCY MOTION
FOR LEAVE TO TAKE DISCOVERY OF CLAIMANTS' ATTORNEYS**

COMES NOW, CHRIS PARKS, P.C., named in Debtors' motion as Christopher M. Parks and Parker & Parks, L.L.P., and files this, its response to Debtors' Emergency Motion for Leave to Take Discovery of Claimants' Attorneys, and would show as follows:

I.

Chris Parks, P.C. d/b/a Chris Parks & Associates is a law firm in Port Arthur, Texas which currently represents asbestos claimants. Parker & Parks, L.L.P. was a partnership formerly composed of Chris Parks, P.C. and Carl Parker, P.C., which dissolved on or about February 15, 2004. Chris Parks, P.C. files this response on behalf of itself and the former partnership of Parker & Parks, L.L.P.

II.

On Page 2 of the Debtors' Emergency Motion, the Debtor states that Christopher M. Parks and Parker & Parks, L.L.P. are two of a total of eighteen law firms which "fit the above criteria" of either (a) having filed silica "retreads" against Grace as confirmed by social security number match; (b) filed silica "retreads" against Grace as confirmed by last name, first name and middle initial match; or (c) firms which were criticized by Judge Jack in the Silica Opinion for having brought large numbers of "retread" silica/asbestos claims and who are now before the Court with thousands of claims against Grace.

Neither Chris Parks, P.C., Christopher M. Parks, nor Parker & Parks, L.L.P. were criticized by Judge Jack. These firms have never appeared before Judge Jack, nor have they filed any, much less “large numbers,” of silica “retread” cases. In Exhibit H to their motion, the Debtors list plaintiffs whose social security numbers matched for both silica and Grace claims. *Only one claimant*, Richard Barrientos, is listed as being represented by Christopher M. Parks and *one other claimant*, Joseph H. Carrier, is listed as being represented by Parker & Parks, L.L.P. Evidently, the match of *one plaintiff’s* social security number is the only reason for Christopher M. Parks and Parker & Parks, L.L.P. to be included in this group of eighteen law firms.

Chris Parks, P.C., Christopher M. Parks and Parker & Parks, L.L.P. object to Debtors’ motion seeking to conduct immediate discovery of their firms regarding issues to which we have no connection. Debtors’ Emergency Motion is based on erroneous facts regarding Chris Parks, P.C., Parker & Parks, L.L.P. and Christopher M. Parks, individually. Prior to the filing of this motion, these firms had absolutely no knowledge of any silica-related claims having ever been filed by Joseph H. Carrier or Richard Barrientos. After the motion was filed, we discovered Mr. Barrientos is represented by the law firm of Heard, Robins in a silica case. However, Chris Parks, P.C., Parker & Parks, L.L.P. and Christopher M. Parks, individually, have absolutely no connection with such a lawsuit. These firms did not file such a silica lawsuit, nor do we have any connection, financial or otherwise, to any such silica lawsuit for these two individuals. It is unreasonable to permit Debtors to launch an immediate assault of depositions and subpoenas on either Christopher M. Parks (Chris Parks, P.C.), or Parker & Parks, L.L.P., based on the fact that *only one client* of each firm has a social security match to a silicosis lawsuit and these firms have no absolutely no connection with any possible silicosis claim filed by either client. Contrary to the Debtors’ flippant accusations,

none of these firms "fit the above criteria." Chris Parks, P.C., Parker & Parks, L.L.P. and Christopher M. Parks respectfully request the Court enter the attached order denying the Debtors' motion.

Respectfully submitted,

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BY: 

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